

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT No. 15905

Notice of Change (Over)

Application 22822 of Trimont Water Company

475 Brannan Street, San Francisco, California 94119

filed on June 16, 1967, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

Unnamed Stream

Martis Creek thence
Truckee River

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
S 47°E 3,200 Ft. from NW Corner of Section 2	SE ¼ of NW ¼	2	16N	16E	MDB&M
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

County of Placer

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
Recreational and						
Municipal			16N	16E	MD	
			16N	17E	MD	
			17N	17E	MD	
	Being within the service area					
	of the Trimont Water Company					
	as shown on map filed with					
	State Water Resources Control Board.					

The place of use is shown on map filed with the State Water Resources Control Board.

PERMIT 15905

5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed 1.33 cubic feet per second by direct diversion from January 1 to December 31 of each year. The instantaneous rate of diversion may exceed said rate provided the amount of water appropriated by direct diversion shall not exceed 82 acre-feet in any month (equivalent to a continuous flow of 1.33 cubic feet per second). The water appropriated by storage shall not exceed 530 acre-feet per annum, to be collected between October 1 of each year and April 30 of the succeeding year. Total appropriation under this permit shall not exceed 890 acre-feet in any year.

6. The maximum quantity herein stated may be reduced in the license if investigation warrants.

7. Actual construction work shall begin on or before December 1, 1970, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

8. Said construction work shall be completed on or before December 1, 1975.

9. Complete application of the water to the proposed use shall be made on or before December 1, 1985.

10. No extensions of time beyond December 1, 1985, to complete application of the water to the proposed use shall be allowed without a hearing before the State Water Resources Control Board.

11. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Resources Control Board until license is issued.

12. All rights and privileges under this permit, including method of diversion, method of use and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water and to carry out legally established water quality objectives.

13. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

14. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Resources Control Board, in order that water entering the reservoir or collected in the reservoir during and after the current storage season may be released into the downstream channel to the extent necessary to satisfy downstream prior rights.

15. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees, and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

16. Construction of the dam shall not be commenced until the Department of Water Resources has approved plans and specifications.

(0050043)

(0120050)

(0360048)

~~5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed~~

17. In order to maintain the fishery in Martis Creek below the point of diversion under Application 22822, permittee shall bypass the following flows: (a) During a normal year, one cubic foot per second or the natural flow, whichever is less, year-round. (b) During a dry year, a minimum of 0.66 cubic foot per second year-round or the natural flow, whichever is less. A dry year is defined as a year when, by May 31, recorded precipitation at the Truckee ranger station for the period beginning July 1 of the preceding year does not exceed 18 inches. (c) During a critically dry year, a minimum of 0.66 cubic foot per second or the natural flow, whichever is less, for the period from November 1 of each year to May 31 of the succeeding year; during July, August and September the natural flow; during June and October a minimum of 0.33 cubic foot per second or the natural flow, whichever is less. A critically dry year is defined as a year when by May 31, recorded precipitation at the Truckee ranger station for the period beginning July 1 of the preceding year does not exceed 15 inches.

(0140060)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: OCT 28 1969

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights

Opinion 15 905

16-30-73 RECEIVED NOTICE OF ASSIGNMENT TO Seitel County of Placer

1-14-88 Acq'd to: Trimont Land Company + County of Placer